



## **Louisville Metro Tree Advisory Commission**

**Tuesday, June 23, 2015, at 5:00 p.m.**

**Against the Grain, 401 E Main St.**

### **Meeting Minutes**

#### **I. Welcome and Announcements – Henry Heuser, Jr., Co-Chair Co-Chair**

The following Louisville Metro Tree Advisory Commission (hereinafter, “Commission” or “LMTAC”) members were present: Henry Heuser (Co-Chair), Katy Schneider (Co-Chair), Allen Steinbock, Maria Koetter, Robert Eberenz, Todd Eberle, Aaron Boggs and Betsy Ruhe, as well as ex-officio Commissioners Mesude Duyar, Sherie’ Long, and Michelle King.

Co-Chair Henry Heuser brought the meeting to order at 5:13pm and welcomed everyone to the last meeting of the Louisville Metro Tree Advisory Commission.

#### **II. Approval of Minutes – Henry Heuser, Jr., Co-Chair**

Henry asked who would follow up with Robert Rogers regarding the tree wells project on Bardstown Road reported in the May Minutes. Louisville Metro Urban Forestry Coordinator Erin Thompson and Cindi Sullivan, the Executive Director of Trees Louisville, volunteered. Audience member Josh White asked to be kept in the loop as well because he is meeting with area businesses soon.

Henry asked Chris Chandler for an update on The Nature Conservancy (TNC). Chris said TNC is excited to meet with groups this summer and fall to increase tree planting in Louisville. TNC has raised \$30,000 to allocate as matching funds for a 1,000 tree planting project. TNC is currently looking for a location and partnerships with any city entity or nonprofit that is interested in planting trees. Current planning for the event is preliminary. They have not secured nursery stock. They want to do a media event and show partnership in action. Henry asked if neighborhood associations could participate. Chris said yes, as well as schools and businesses. Chris stressed that he wants the planting to happen this fall and be a partnership planting. He would love to coordinate it with the city’s main fall planting event currently scheduled for November 8, 2015. Ex-officio Commissioner (APCD) Michelle King asked if they are trying to plant in one of the priority planting areas reported in the Tree Canopy Assessment. Chris said yes.

Henry asked about the relationship with JCPS. Cindi said she met with Mike Mulheirn and other JCPS staff. Henry asked if JCPS would be interested in providing matching funds and if the no-mow

project was still on the table with JCPS. Cindi said she knows that Atherton High School has a few no-mow areas, but the project and discussion is still in process.

Henry asked for and received unanimous approval of the minutes from last month's meeting.

### **III. Old Business**

#### **a. Treasurer's Report – Allen Steinbock**

Commissioner and Secretary/Treasurer Allen Steinbock reported that the most recent bank statement from 5/29/2015 showed a balance of \$5,177.26 (See Attachment A). \$6,000 was paid to CHS Consulting and \$3,000 was paid to Bowman Landscaping for tree wells. \$7,000 was donated by the Community Foundation of Louisville, and \$2,000 was donated by the McLaughlin's.

Going forward, the remaining funds will be reserved for tree projects.

#### **b. Update from the Office of Sustainability – Maria Koetter, Director of Sustainability**

Commissioner Maria Koetter thanked everyone for their involvement in the work of the LMTAC. She emphasized that this Commission prompted the hiring of the urban forester, the Tree Canopy Study, and the creation of the new Division of Community Forestry, which will be led by Erin Thompson and will include the city arborist and an assistant urban forester. The Division will be within the Office of Sustainability on Louisville Metro's organizational chart. Henry asked Maria to discuss the tree budget for FY16. Maria said the Office of Sustainability received \$275,000 for tree canopy projects, with \$25,000 of the \$275,000 allocated for GPS equipment for maintenance and tracking. Henry thanked Maria for her leadership and support.

#### **c. Update from Urban Forestry Coordinator – Erin Thompson, Urban Forestry Coordinator**

Erin clarified that the new division will be called the Division of Community Forestry, which is different than the Forestry Division within Metro Parks. This new Division will work throughout Jefferson County. She hopes to build the Division's capacity in the future.

Over the past year, Erin spent her \$100K budget to plant just under 300 trees. She purchased water bags, t-posts and webbing for tree staking; removed stumps through a contractor; and created new tree wells on Jefferson Street in collaboration with MSD and the Doe Anderson project. Erin has a spreadsheet showing exactly where the trees were planting if anyone is interested. She also planted trees with Brightside funds and other partners. Brightside planted 250 over the past planting year. Many of these trees are in Brightsites and were funded with Brightside's budget. (The just under 300 trees reported above was planted with capital projects funds).

The tree tracker has tracked 18,648 trees, an increase of over 2000 trees since January 1, 2015. Erin is sure there are more trees that have been planted in the community that have not been logged through the tree tracker. Audience member Josh White asked if any Highlands neighborhood associations had reported their tree planting numbers. Erin said no. Josh said he would report those numbers for the Highlands. Erin said there are plenty of neighborhoods and businesses that need to report. She encouraged everyone to help get these numbers reported.

Erin passed around two new flyers that promote the benefits of trees and encourage people to report newly planted trees on the tree tracker. Erin is working with the Louisville Nursery Association to distribute these flyers.

An audience member asked if Erin has worked with nurseries to get numbers on the amount of trees they have sold. Erin said she is working on this through the Louisville Nurseries Association.

Erin has \$250,000 for fall plantings. She has used up her budget from last year. Erin is working on a list to encourage people besides herself to plant trees in specific areas. She stressed that everyone discuss maintaining trees as well as planting trees with members of the community. Erin is looking for volunteers (individuals and organizations) to hold a community-wide planting day on November 8, 2015.

An audience member asked if Erin has reached out to development and construction companies. They had a program that every time a home was built, a new tree had to be planted. Ex-officio Commissioner (Planning and Design) Sherie Long said the Land Development Code (LDC) requires 1-2 trees be planted per new home. An audience member suggested putting a request for registering trees on the tree tracker in the Kentucky Gardner publication. Erin thanked Chris Chandler at TNC for bringing attention to the Tree Tracker.

#### **d. Update from Trees Louisville – Cindi Sullivan, Executive Director**

Cindi Sullivan reported that Trees Louisville has applied for 501c3 status (status is pending) and has opened a bank account.

Trees Louisville is focused on building capacity and continuing the Commission's work. Cindi asked the Commissioners to be tree ambassadors. Interested Commissioners should email Cindi at [TreesLouisville@gmail.com](mailto:TreesLouisville@gmail.com).

Terri Harrison, the president of the Louisville Nursery Association (LNA) has reserved the Metro Hall Rotunda for August 19<sup>th</sup> from 5-7pm for the summer meeting of the LNA. Commissioners and other tree advocates are invited to attend the event. It will be a great opportunity for planters to connect with tree advocates. Henry said we need LNA's support to get enough trees in stock locally to meet our planting goals. Mike Hayman reported that Green Ridge Tree Farm in Elizabethtown went out of business. Riverfarm Nursery is planning to shrink their supply. Woody Warehouse is selling smaller trees but the business is growing.

Henry reported on his on-going problem with invasive vines along I-64 (Seneca Park) and I-65 (between Arthur Street and St. Catherine exits). He doesn't know how to get the State Highway Department engaged with clearing the several year old vines that are killing this large inventory of trees. He asked Mary Ellen Wiederwohl, who replied that the state has turned down the request to use money to eliminate the vines. Mary Ellen reported that the Mayor's Office completed all of the necessary steps to get the vines removed, and the request was declined by the State in the end. Metro Parks was the official applicant. An audience member asked who was supposed to remove the vines. Mary Ellen replied that a professional would have removed them. The State's response was that there are safety concerns with removing the vines as well as long-term maintenance. Who would be responsible for making sure the vines do not return. Mary Ellen said the conversation with the State will continue.

Henry got an email from Dan Tafel regarding the trees on Brownsboro Rd. The State is cutting down some trees and moving others.

Erin said she contacted the Kentucky Transportation Cabinet (KYTC) about a group of ash trees, and KYTC removed the ash trees shortly thereafter.

#### **e. Review and approval of Proposed Tree Ordinance – Todd Eberle**

Co-Chair Katy Schneider introduced the proposed tree ordinance. She said there is not a “no net loss policy” in the draft. The committee that drafted the document tried to propose a reasonable scope of authority in an effort to get the ordinance passed. She reiterated that the document is very comprehensive. Charlotte, NC, included a 45% tree canopy goal in their ordinance and, even though it passed, it was a difficult process. Our draft ordinance says that a goal should be set, but it does not say what the goal is. In addition, the proposed ordinance does not address trees on private property.

If the ordinance is passed, it will establish a permanent Tree Commission to help protect our tree canopy.

Katy presented Commissioner Todd Eberle with a gift to commend his extensive work on the proposed ordinance.

Todd thanked the members of the committee that helped to produce this document. The 11-person committee worked for 21 months, meeting over 50 times. Todd gave a brief summary of the contents of the proposed ordinance. The ordinance looks at public trees only, except when a private tree presents a danger to the public or is diseased. The Land Development Code covers trees on private property. Katy emphasized that this is a tree protection ordinance.

An audience member asked what would happen with a diseased tree on private property. Todd said Louisville Metro could require the property owner to remove the tree or treat the tree at the owner’s expense. If the owner does not respond appropriately, Louisville Metro will remove the tree at the owner’s expense. The ordinance proposes that Louisville Metro create a fund for landowners that cannot afford to remove a tree.

Todd said we are better off with two ordinances – one that deals with public trees, and one that deals with trees on private property – as is the case with this proposal.

Katy said the new Tree Commission will have a lot of expertise. Its function would be to support the Division of Community Forestry.

Todd noted that the ordinance has to go through Metro Council. He said one decision that might change is the structure of the new Division of Community Forestry within Metro Government. Metro Parks is a Department that deals with trees quite a bit. Section 4.3a allows the Division of Community Forestry to delegate their powers to certain entities. Ex-officio Commissioner (Metro Parks) Mesude Duyer said 80% of her arborists are certified arborists. Much of the content in the proposed ordinance is tasks that are already performed by Metro Parks. Metro Parks plants over 1,000 trees every year, cares for those trees and removes trees that are a safety issue for the public. As written, the proposed ordinance will slow down the work of Metro Parks. Each step that they take will require a permit to be obtained from the Division of Community Forestry. Todd replied that the ordinance allows the Division of Community Forestry to have a written agreement with Metro Parks to excuse them from having to apply for certain permits. Erin suggested changing the scope in 1.4 to reflect the notion that the jurisdiction of Metro Parks falls under Metro Parks. Todd replied that the current text is the model that was decided upon, and it will change as we move through the approval process anyway. Mesude said the ordinance needs to show that any Metro Parks land is exempt from permitting. The Parks department is already responsible for plenty of

land and has plenty of certified arborists. Mesude reiterated her concern that additional work will be required of Parks as the proposed ordinance is written.

Katy said it was the committee's hope that the proposed ordinance would go through Louisville Metro to get the okay from all departments. Mary Ellen replied that she met with the leadership team from Metro Parks. They thought it would be best to propose standards that say Metro Parks shall work in coordination with the Division of Community Forestry without a regulatory relationship between the two Metro departments. Mary Ellen suggested that the proposed ordinance be passed today as a recommendation to Louisville Metro Government such that it be subject to further deliberation as is related to implementing the intent of the document.

Todd made the motion to approve the document as written with Mary Ellen's suggested language. All were in favor.

Katy asked Erin or Maria to do an educational session on the contents of the Tree Canopy Assessment.

#### **IV. Thank you and Closing**

Henry thanked Mary Ellen for her support throughout the existence of the LMTAC. On behalf of the Mayor, Mary Ellen thanked the Commission for successfully completing the tasks outlined in the Executive Order. Louisville has come very far in a relatively short period of time. We now have a proposed ordinance. This is the beginning of a community conversation. We are behind our peer cities in having a protective ordinance. We have an accurate Tree Canopy Assessment and we've begun to invest using the funds of Louisville Metro Government in a way that we have not in years, and now we have a Division of Community Forestry. Metro Council still has to adopt the budget on Thursday, but all things look positive. There is another journey ahead with Trees Louisville, to provide advocacy, oversight and occasionally agitation to keep us all honest as we further the tree canopy. Mary Ellen thanked Katy and Henry for their leadership and thanked all Commissioners for their time dedicated to this mission. On behalf of the Mayor, Mary Ellen awarded Mayoral proclamations to all Commissioners.

An audience member asked about next steps for the proposed ordinance and who will coordinate all tree projects that have been started by the Commission. Todd said the Division of Community Forestry will coordinate these efforts going forward. He said we will need the support of Metro Council. The ordinance establishes another Commission, but it will only happen if the ordinance is passed with establishing a Tree Commission.

#### **V. Adjourn**

Henry adjourned the meeting at 6:26pm.